

REMARKS

1. Status of the Claims

Claims 1 and 53-102 are pending in the present application. Applicant notes that the Examiner has only indicated that claims 1 and 53-101 are currently pending. Applicant would point out that the Preliminary Amendment filed on January 18, 2002 canceled claims 2-52 and added claims 53-102. Claim 102 has not been assigned to any of the Groups cited in the present Office Action. This appears to have been an oversight and correction is respectfully requested.

2. Restriction Requirement

The Examiner has required election in the present application between:

Group I, claim 1, drawn to a method of in vivo down regulation of growth differentiation factor 8 (GDF-8) activity comprising administering at least one GDF-8 polypeptide or subsequence thereof and at least one GDF-8 analogue;

Group II, claim 1 drawn to a method for in vivo down regulation of GDF-8 activity comprising administering at least one GDF-8 polypeptide or subsequence thereof or at least one GDF-8 analogue

Group III, claims 53-74 and 80, drawn to a method for in vivo down regulation of GDF-8 activity comprising presentation to the animal's immune system at least one GDF-8 analogue, wherein a foreign T-helper epitope is introduced in SEQ ID NO: 11;

Group IV, claims 53-74 and 80, drawn to a method for in vivo down regulation of GDF-8 activity comprising presentation to the animal's immune system at least one GDF-8 analogue, wherein a foreign T-helper epitope is introduced in SEQ ID NO: 12;

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Group V, claims 53 and 75-79, drawn to a method for in vivo down regulation of GDF-8 activity comprising presentation to the animal's immune system at least one GDF-8 analogue, wherein a foreign T-helper epitope is introduced in SEQ ID NO: 11, wherein presentation of said analogue is effected by introducing the nucleic acid encoding the GDF-8 analogue;

Group VI, claims 53 and 75-79, drawn to a method for in vivo down regulation of GDF-8 activity comprising presentation to the animal's immune system at least one GDF-8 analogue, wherein a foreign T-helper epitope is introduced in SEQ ID NO: 12, wherein presentation of said analogue is effected by introducing the nucleic acid encoding the GDF-8 analogue;

Group VII, claims 81-83, drawn to a GDF analogue wherein a foreign T-helper epitope is introduced in SEQ ID NO: 11 and an immunogenic composition comprising said analogue;

Group VIII, claims 81-83, drawn to a GDF analogue wherein a foreign T-helper epitope is introduced in SEQ ID NO: 12 and an immunogenic composition comprising said analogue;

Group IX, claims 84-94, 99, 100 and 101, drawn to a nucleic acid fragment which encodes a GDF-8 analogue wherein a foreign T-helper epitope is introduced in SEQ ID NO: 11; a vector carrying said nucleic acid fragment and a host cell transformed by said vector and a composition comprising said nucleic acid fragment;

Group X, claims 84-94, 99, 100 and 101, drawn to a nucleic acid fragment which encodes a GDF-8 analogue wherein a foreign T-helper epitope is introduced in SEQ ID NO: 12; a vector carrying said nucleic acid fragment and a host cell transformed by said vector and a composition comprising said nucleic acid fragment;

Group XI, claims 53 and 95-98, drawn to a method of in vivo down regulation of GDF-8 activity comprising presentation to the animal's immune system at least one GDF-8 analogue,

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wherein a foreign T-helper epitope is introduced in SEQ ID NO: 11, wherein presentation of said analogue is effected by administering a non-pathogenic micro-organism or virus; and

Group XII, claims 53 and 95-98, drawn to a method of in vivo down regulation of GDF-8 activity comprising presentation to the animal's immune system at least one GDF-8 analogue, wherein a foreign T-helper epitope is introduced in SEQ ID NO: 12, wherein presentation of said analogue is effected by administering a non-pathogenic micro-organism or virus.

For the purpose of examination of the present application, Applicants elect, without traverse, Group VIII, claims 81-83 drawn to a GDF analogue wherein a foreign T-helper epitope is introduced in SEQ ID NO: 12 and an immunogenic composition comprising said analogue.

In the event Applicant elected Group VIII, the Examiner has further required to elect a specific method for in vivo down regulation of GDF-8 activity. For the purpose of examination of the present application, Applicants elect the species identified in claim 53, i.e. in vivo down-regulation of GDF-8 activity by introducing a foreign T-helper epitope into positions 18-41 of SEQ ID NO: 12 without traverse.

Applicant has added new claims 103 and 104, which correspond to the elections made herein. No new matter has been added.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), the Applicant respectfully petitions for a two (2) month extension of time for filing a response in connection with the present application and the required fee of \$420.00 be charged to Deposit Account No. 02-2448.

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Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Leonard R. Svensson (Reg. No. 30,330) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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